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10/001,260	11/01/2001	Charles G. Williamson	09741620/0203	8355

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SONNENSCHN NATH & ROSENTHAL

Sears Tower  
Wacker Drive Station  
P.O. Box 061080  
Chicago, IL 60606-1080

EXAMINER

NGUYEN, SIMON

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/001,260

**Applicant(s)**

WILLIAMSON, CHARLES G.

**Examiner**

SIMON D NGUYEN

**Art Unit**

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 7-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5 and 7-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 9-11, 14-15, 19-20, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin, Jr. et al. (6,509,913) in view of Lee et al. (6,728,531).

Regarding claim 1, Martin, Jr. discloses a remote configuration data system (abstract, fig. 2A), comprising: a graphical interface on a first network device (216) that displays an association page (column 2 lines 31-44) for establishes an association list between a first set of configuration data (column 4 lines 44-49) with a second set of displayed configuration data in a remote database (208)(column 4 line 61 to column 5 line 25); a radio having a digital controller that is able to communicate with the database to retrieve and apply the user profile for operation of the radio (column 5 line 42 to column 6 line 4, column 7 line 30 to column 8 line 32). However, Martin, Jr. fails to disclose a geographic location identifier of the radio.

Lee discloses a remote configuration data system (abstract) in which a mobile radio having onboard global positioning (GPS 110 of fig.2) which used to determine a location of users for configuration data (abstract, fig.2, column 14 lines 46-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention

Art Unit: 2685

was made to have Martin, modified by Lee in order to download configuration data relating to the user's location.

Regarding claim 10, this claim is rejected for the same reason as set forth in claim 1, wherein Lee discloses that the mobile station equipped with onboard global positioning (GPS) to identify the location of the mobile station, which allows the mobile station retrieving information related to a local area database, for example, to configure or update traffic information, geographic advertising and available content from the local database to the mobile station (abstract, column 11 line 55 to column 12 line 5, column 14 lines 46-59).

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 10.

Regarding claim 2, Martin, Jr. discloses a plurality of preset button identifier is the first set of configuration data (fig.2B, column 6 line 5 to column 7 line 18) and a plurality of radio stations (e.g. groups of subscribers) is a second set of configuration data (column 5 lines 9-25).

Regarding claim 3, Martin, Jr. Further discloses the preset buttons located at the radio stations in response to receipt of the association list at the radio (column 6 line 5 to column 7 line 48).

Regarding claim 9, Martin, Jr. further discloses the graphical interface in a web browser (fig.2A).

Regarding claim 11, 20, in the modified Martin system, Lee further disclose the invention provide navigation services form the Internet so that vehicle positions reported

Art Unit: 2685

by the GPS can be used to provide location dependent alerts to the driver (column 8 lines 4-23, column 14 lines 1-10, 46-60) which means sending the location identifier to the remote database and receiving the second set of configuration (retrieving information as restaurant, theater, etc.. , that relates to the location).

Regarding claims 14-15, 23-24, Martin, Jr. further discloses a plurality of preset buttons that comprise the first set of configuration data in a radio station corresponding to a set of configuration data in the database, wherein the selection of each button indicates different configuration data (column 6 line 5 to column 7 line 48), wherein a preset button identifiers for the plurality of preset buttons are inherently assigned by the database server in order to synchronize the configuration data between the radio station and the database server.

Regarding claim 25, Lee further discloses the location identifier displayed on graphical interface (column 7 lines 16-28, column 8 lines 8-12, column 10 lines 4-11).

3. Claims 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (6,728,531).

Regarding claim 16, Lee discloses a data structure in a user profile in a database (figs.2-3), comprising: a user profile (e.g. stock report, music, weather report, navigation ...etc..) (column 14 line 25-34, column 11 lines 38-47, column 12 lines 6-22); a plurality of preset buttons linked to the user profile identifier, wherein the plurality of preset button identifiers associated with each radio station (column 9 line 59 to column 10 line 11, column 12 lines 13-22, column 14 lines 25-34), wherein the plurality of radio station

Art Unit: 2685

are identified based on geographic location identifier of the radio (column 8 lines 35-37, column 11 lines 28, 55-67). It should be noted that Lee discloses each radio's user registering with the server, wherein the server stores the user profile in a server's database. In order to identify an user's radio station wants to access the database, each user obviously use an identifier, which is known to those skilled in the art in order the system prevents unwanted user.

Regarding claims 17-18, Lee further discloses an alert time for traffic, email, stock (column 12 lines 6-13). It should be noted that the alert message can be ring, vibrating or buzz, which is known to those skilled in the art.

4. Claims 5, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin, Jr. et al. (6,509,913) in view of Lee et al. (6,728,531) as applied to claims 1, 10, 16, 19 above, and further in view of Moles et al. (6,615,038).

Regarding claims 5, 7-8, the modified Martin, Jr. fail to disclose an alert message and an alarm clock.

Moles, in the same filed of invention, discloses a server comprising an alarm clock (timer) for setting or synchronizing times in transmitting an alert message to remote units (column 7 line 36 to column 8 line 25). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have the modified Martin system, modified by Moles in order to prevent the interference while downloading the configuration data.

Art Unit: 2685

5. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin, Jr. et al. (6,509,913) in view of Lee et al. (6,728,531) as applied to claims 10, 9 above, and further in view of Miner et al. (6,690,655).

Regarding claim 12 and 21, the modified Martin system does not specifically disclose time synchronization message.

Miner discloses a server and a plurality of mobile station, wherein the server transmitting time synchronization message to the mobile stations, and the mobile sets the clock for reception time synchronization message (column 12 line 55 to column 13 line 29, column 18 line 62 to column 19 line 36). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified Martin, modified by Miner in order to prevent loss data or information transmitted between the server and the mobile stations.

6. Claims 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin, Jr. et al. (6,509,913) in view of Lee et al. (6,728,531) as applied to claims 1, 10, 16, 19 above, and further in view of Schwartz et al. (6,473,609).

Regarding claim 13 and 22, in the modified Martin, Lee discloses the user transmitting events, for example, stock market alerts, (set an alert when a stock reaches a set value), traffic alerts based upon the user's route as they happen in real time (column 12 lines 6-11) which means the user generates the alert in the user profile, storing in the database, and transmitting the alert message to the user. However, the

Art Unit: 2685

modified Martin system does not specifically disclose displaying an alert configuration page.

Schwartz discloses displaying an alert message on the mobile terminal (figs.9b,f, column 18 lines 12-65). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified Martin, modified by Schwartz in order to identify what kind of alert the user will expect to receive in order to improve the alert message system.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-3, 5, 7-25 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (703) 308-1116. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:



Art Unit: 2685

Commissioner of Patents and Trademarks

Washington, D.C. 20231

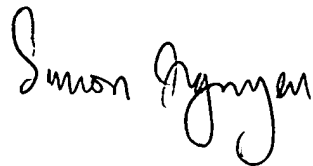
Or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Hand-delivered response should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Simon Nguyen

February 7, 2005

A handwritten signature in black ink that reads "Simon Nguyen". The signature is written in a cursive, flowing style.